

Notice of Allowability

Application No.

09/303,424

Applicant(s)

LEMILAINEN ET AL.

Examiner

Art Unit

Kambiz Abdi

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to March 28, 2007.
2. ☒ The allowed claim(s) is/are 1-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Acknowledgements

1. Applicants' amendment filed March 28, 2007 is acknowledged.
 - Claims 1, 21, 24 and 26 are amended.
 - Claims 1-35 are allowed.

Examiner's Amendments

2. An Examiner's amendments to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this Examiner's amendment was given in a telephonic interview with Attorney G. Peter Albert Jr. on June 4, 2007.
4. The application has been amended as follows:

1. (Currently amended) A method of obtaining connection by a user through a first network and through a second network to a packet data network with the connection being paid for by the first network making payment to the second network comprising:

inputting a user request to the first network which requests that the user be authorized for connection to the packet data network through the second network, wherein the first network receives a quantification of the connectivity the user requests;

transmitting from the first network to the second network the user request and an authorization of payment to the second network by the first network for the use by the user of the packet data network;

transmitting from the second network to the first network authentication information granting the user authentication to obtain connection through the second network to the packet data network; and

transmitting the authentication information from the first network to the user which informs the user that authentication to obtain connection to the packet data network has been obtained; and wherein

requesting to make the payment for the connection to the packet data network is the result of communications which first originate with the user request to the first network, the user is

Art Unit: 3621

anonymous and there is no roaming agreement or contract with the packet data network for the user to obtain the connection thereto.

2. (Currently Amended) A method in accordance with claim 1, wherein:

the user request includes the a quantification of connectivity which the user requests to the packet data network.

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21. (Currently amended) A system comprising:

a user;

a first network connected to the user;

a second network connected to the first network and to the user; and

a packet data network connected to the second network; and wherein

the first network, in response to a user request to the first network that the user be authorized for connection to the packet data network through the second network wherein the connection is paid for by the first network making payment to the second network and wherein the first network receives a quantification of the connectivity the user requests, transmits to the second network the user request and an authorization of payment by the first network for the use by the user of the packet data network, the second network transmits to the first network authentication information granting the user authentication to obtain connection through the second network to the packet data network, and the first network transmits to the user authentication information which informs the user that authentication to obtain connection to the packet data network has been obtained ; and wherein

requesting to make the payment is the result of communications which first originate with the user request to the first network, the user is anonymous and there is no roaming agreement or contract with the packet data network for the user to obtain the connection thereto.

22. (Currently amended) A method of obtaining connection by a user through a first network and through a second network to a packet data network with the connection being paid for by the first network making payment to the second network comprising:

Art Unit: 3621

inputting a user request to the first network which requests that the user be authorized for connection to the packet data network through the second network, wherein the first network receives a quantification of the connectivity the user requests;

transmitting from the first network to the second network the user request and an authorization of the payment to the second network by the first network for the use by the user of the packet data network;

transmitting from the second network to the first network authentication information granting the user authentication to obtain connection through the second network to the packet data network;

transmitting the authentication information from the first network to the user which informs the user that authentication to obtain connection to the packet data network has been obtained; and

after the user is informed that authentication to obtain connection to the packet data network has been obtained, the user transmits to the second network at least one request for consumption of at least one service unit and the second network debits from a stored value of service units which are granted to the user a consumed number of service units ; and wherein

requesting to make the payment for the connection to the packet data network is the result of communications which first originate with the user request to the first network . the user is anonymous and there is no roaming agreement or contract with the packet data network for the user to obtain the connection thereto.

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24. (Currently amended) A system comprising:

a user;

a first network connected to the user;

a second network connected to the first network and to the user; and

a packet data network connected to the second network; and wherein

the first network, in response to a user request to the first network that the user be authorized for connection to the packet data network through the second network wherein the connection

Art Unit: 3621

is paid for by the first network making payment to the second network and wherein the first network receives a quantification of the connectivity the user requests, transmits to the second network the user request and an authorization of the payment by the first network for the use by the user of the packet data network, the second network transmits to the first network authentication information granting the user authentication to obtain connection through the second network to the packet data network, and the first network transmits to the user authentication information which informs the user that authentication to obtain connection to the packet data network has been obtained; and

after the user is informed that authentication to obtain connection to the packet data network has been obtained, the user transmits to the second network at least one request for consumption of at least one service unit and the second network debits from a stored value of service units which are granted to the user a consumed number of service units ; and wherein requesting to make the payment for the connection to the packet data network is the result of communications which first originate with the user request to the first network, the user is anonymous and there is no roaming agreement or contract with the packet data network for the user to obtain the connection thereto.

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26. (Currently amended) A method of obtaining connection by a user through a first network and through a second network to a packet data network with the connection being paid for by the first network making payment to the second network comprising:

connection to the packet data network through the second network;

transmitting from the first network to the second network the user request and an authorization of the payment to the second network by the first network for the use by the user of the packet data network, wherein the first network receives a quantification of the connectivity the user requests;

transmitting from the second network to the first network authentication information granting the user authentication to obtain connection through the second network to the packet data network;

transmitting the authentication information from the first network to the user which informs the user that authentication to obtain connection to the packet data network has been obtained;

the user roams to the second network ; the user requests connection to the packet data network while roaming in the second network; and

Art Unit: 3621

the second network grants connection to the packet data network while roaming in the second network based upon the authorization of payment received by the second network; and wherein

requesting to make the payment for the connection to the packet data network is the result of communications which first originate with the user request to the first network, the user is anonymous and there is no roaming agreement or contract with the packet data network for the user to obtain the connection thereto.

Reasons for Allowance

5. The following is the Examiner's statement of reasons for allowance.

6. Regarding the claimed terms, the Examiner notes that a "general term must be understood in the context in which the inventor presents it." *In re Glaug* 283 F.3d 1335, 1340, 62 USPQ2d 1151, 1154 (Fed. Cir. 2002). Therefore the Examiner must interpret the claimed terms as found on pages 1-16 of the specification. Clearly almost all the general terms in the claims may have multiple meanings. So where a claim term "is susceptible to various meanings, . . . the inventor's lexicography must prevail . . ." *Id.* Using these definitions for the claims, the claimed invention was not reasonably found in the prior art.

7. The primary references U.S. Patent No. 6,577,643 to Girish Rai, discloses a message and communication system in a coupled data network. The coupled data network includes a foreign network and a home network. The foreign network includes a foreign base station with a foreign access hub, the foreign access hub including a first serving inter-working function. The home network includes a first home inter-working function. A first mobile end system is a subscriber to the home network and operates within the foreign network. A first message is transportable between the first mobile end system and a first communications server through the first home inter-working function and through the first serving inter-working function of the foreign access hub in the foreign base station.

8. U.S. Patent No. 6,036,090 to Tariq Rahman et al. discloses a convenient method of prepaying for wireless services for mobile subscribers that is automated, efficient and less cumbersome than previous prepayment methods.

9. U.S. Patent No. 5,729,537 to Lars Axel Billstrom discloses a communication station with anonymous access to a communication network of a communication system to communicate data in the

Art Unit: 3621

communication system. Access is provided to the communication station only after authenticating that the communication station is authorized to communicate in the network, but access is provided without individually identifying the communication station to the network with a permanent identifier unique to the communication station.

10. However, neither of the prior arts, Rai, Rahman or Billstrom, either individually or in combination suggest or fairly disclose the "at least the first network, in response to a user request to the first network that the user be authorized for connection to the packet data network through the second network wherein the connection is paid for by the first network making payment to the second network and wherein the first network receives a quantification of the connectivity the user requests, transmits to the second network the user request and an authorization of payment by the first network for the use by the user of the packet data network, the second network transmits to the first network authentication information granting the user authentication to obtain connection through the second network to the packet data network..." Moreover, the missing claimed elements from Rai, Rahman or Billstrom are not found in a reasonable number of reference(s). Yet even if the missing claimed elements were found in a reasonable number of references, a person of ordinary skill in the art at the time the invention was made would *not* have been motivated to include these missing elements in an embodiment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Abdi whose telephone number is (571) 272-6702. The examiner can normally be reached on 10 AM to 6:00 PM.

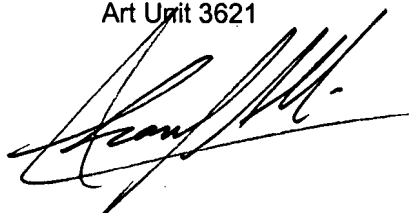
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fischer Andrew can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kambiz Abdi
Primary Examiner
Art Unit 3621

June 5, 2007

A handwritten signature in black ink, appearing to read 'Kambiz Abdi', is written over the printed name and title of the Primary Examiner.